



January 17, 2025

VIA ECF

Honorable Thomas I. Vanaskie
Special Master
Stevens & Lee
1500 Market Street, East Tower, Suite 1800
Philadelphia, Pennsylvania 19103-7360

**Re: *In re Valsartan, Losartan, and Irbesartan Liability Litigation,*
MDL 2875 RMB (D.N.J.)**

Dear Judge Vanaskie:

Pursuant to Special Master Order (Dkt. 2957), attached are the position statement letters confirming whether Plaintiffs plan to waive their *Lexecon* rights. In summation:

Plaintiff Jan Roberts, as Personal Representative of the Estate of Gaston Roberts, Jr. (Case No. 1:20-cv-00946-RMB-JS) will waive her *Lexecon* rights and has dismissed North Baldwin Pharmacy as a defendant.

Plaintiff Robert Garcia (Case No. 1:20-cv-07957-RMB-JS) will waive his *Lexecon* rights and dismiss Cigna, Walgreens, and Walmart as defendants.

Plaintiff James Suits (Case No. 1:20-cv-06547) confirms that *Lexecon* is not an issue as his case was originally filed in New Jersey federal court. Plaintiff agrees to dismiss the Wholesaler Defendants and confirms there are no pending claims against any Retailer.

Plaintiff Evon Smalls (Case No. 1:20-cv-08199) will waive her *Lexecon* rights and dismiss Wal-Mart, Inc. as a defendant.

The Estate of Ronald Meeks (Case No. 1:19-cv-16209) will not waive their *Lexecon* rights.

Plaintiff Lana Dufrene (Case No. 1:19-cv-15633) will not waive her *Lexecon* rights.

Respectfully Submitted,

Nigh Goldenberg Raso & Vaughn, PLLC
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Hon. Thomas I. Vanaskie, Special Master
January 17, 2025

DANIEL A. NIGH (FL Bar No. 30905)
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Honorable Thomas I. Vanaskie
Special Master
Stevens & Lee
1500 Market Street, East Tower, Suite 1800
Philadelphia, Pennsylvania 19103-7360

**Re: *In re Valsartan, Losartan, and Irbesartan Liability Litigation*,
MDL 2875 RMB (D.N.J.)**

Dear Judge Vanaskie:

Please accept this letter in response to the Court's request for Plaintiffs to confirm whether or not they will waive their *Lexecon* rights:

Plaintiff Jan Roberts, as Personal Representative of the Estate of Gaston Roberts, Jr. (Case No. 1:20-cv-00946-RMB-JS) will waive her *Lexecon* rights and has dismissed North Baldwin Pharmacy as a defendant.

Plaintiff Robert Garcia (Case No. 1:20-cv-07957-RMB-JS) will waive his *Lexecon* rights and dismiss Cigna, Walgreens, and Walmart as defendants.

Respectfully Submitted,

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January 16, 2025

Hon. Thomas I. Vanaskie (Ret.)
Special Master for Discovery
Stevens & Lee
1818 Market Street, 18th Floor
Philadelphia, PA 19103

Re: *James Suits, et al. v. Zhejiang Huabai Pharmaceutical Co., Ltd., et al.*,
No. 20-cv-06547

Dear Special Master Vanaskie:

In accordance with Your Honor's order dated January 14, 2025, this letter is to confirm that our client, James Suits, has agreed to dismiss the Wholesaler Defendants. Mr. Suits does not have a pending claim against any Retailer.

This letter also confirms that *Lexecon* is not an issue in Mr. Suits' claim since his suit was originally filed in New Jersey federal court.

Primary counsel of record for the James Suits matter is as follows:

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Local counsel for the James Suits matter is as follows:

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Respectfully submitted,

HARRISON DAVIS
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Matt Morrison

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January 17, 2025

VIA ECF

Honorable Thomas I. Vanaskie (Ret.)
Special Master
Stevens & Lee
1500 Market St., East Tower,
Suite 1800
Philadelphia, Pennsylvania 19103

**RE: In re Valsartan, Losartan, and Irbesartan Products Liability Litigation,
MDL No. 19-2875 (RMB)**

Dear Judge Vanaskie,

Please accept this letter as a response to the court's request for whether the following plaintiffs will waive their Lexecon rights:

Evon Smalls, No. 1:20-cv-07957, will waive her Lexecon rights and dismiss Wal-mart, Inc. as a defendant.

The Estate of Ronald Meeks, No. 1:19-cv-16209, will not waive their Lexecon rights.

Respectfully submitted,
/s/Madeline Pendley
Madeline Pendley
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O'Brien, Barr, Mougey, P.A.**
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January 17, 2025

Re: **IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS
LIABILITY LITIGATION**
Lana Dufrene, 1:19-cv-15633

To the Honorable Thomas I. Vanaskie,

In response to the Special Master's Order of January 14, 2025, undersigned counsel respectfully submits that they have spoken with Ms. Heather Guidroz, daughter of the deceased plaintiff Lana Dufrene, who intends to substitute in this matter as survival plaintiff. Ms. Guidroz does not intend to waive her Lexecon rights. Ms. Guidroz has determined her claims against the non-manufacturing defendants will not be voluntarily dismissed under Louisiana law, which generally provides remedies against sellers under the warranty against redhibitory defects. See, e.g., La. Civ. Code art. 2545; *Chevron USA, Inc. v. Aker Mar., Inc.*, 604 F.3d 888, 890 (5th Cir. 2010) (while the Louisiana Products Liability Act provides the exclusive remedy for product liability claims in Louisiana, an exception is application of the law of redhibition).

Sincerely,

A handwritten signature in blue ink, appearing to be "MPL", written over a horizontal line.

M. Palmer Lambert